



ATTENTION

Probate cases on this calendar are currently under review by the probate examiners. Review of some probate cases may not be completed and therefore have not been posted.

If your probate case has not been posted please check back again later.

Thank you for your patience.

**Petition of Trustee for Approval of Second Account Current, for Approval of
Trustee's Fees and for Authorization to Compensate Counsel for the Trustee**

		PERINE & DICKENS PROFESSIONAL FIDUCIARIES , Trustee, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Order approving expenditure from trust funds for remodel of beneficiary's residence signed on 11/15/11 allowed up to \$71,436.07 for improvements on the home and to purchase a storage shed. During the first account \$40,495.90 was used for the remodel and during the second account \$31,943.46 for a total of \$72,439.36, a difference of \$1,003.29. Note: If the petition is granted, a status hearing will be set as follows: • Friday, February 27, 2015 at 9:00 a.m. in Department 303, for the filing of the bond. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.
		Account period: 4/1/11 – 1/31/13	
Cont. from 072213		Accounting - \$183,087.66	
	Aff.Sub.Wit.	Beginning POH- \$161,984.16	
✓	Verified	Ending POH - \$118,137.86	
	Inventory	Attorney - \$5,493.00 (per itemization and declaration, 39 hour @\$225-235/hr.)	
	PTC	Trustees - \$9,756.00 (Trustees are allowed to pay themselves for services rendered at \$120 per hour not to exceed \$1,500.00 per month.)	
✓	Notice of Hrg	Current bond is \$200,000.00. Petitioner request bond be reduced to \$152,000.00.	
✓	Aff.Mail	Petitioner prays for an Order:	
	W/	1. Settling Trustee's Second Account and allowing, confirming and approving all acts and transactions set forth herein;	
	Aff.Pub.	2. Approving fees received by the Trustees through 1/31/13	
	Sp.Ntc.	3. Reducing the bond to \$152,000.00;	
	Pers.Serv.	4. Authorizing Trustees to pay their attorneys the sum of \$5,493.00 for attorney fees and costs.	
	Conf. Screen		
	Letters		
	Duties/Supp		
	Objections		
	Video Receipt		
	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: KT
Reviewed on: 8/1/2013
Updates:
Recommendation:
File 2 – Diaz

4A Mildred Haney (CONS/PE)
Atty Johnson, Summer A (for Anita Leal-Idrogo – Petitioner – Daughter)
Atty Karuthers, Heather (Public Guardian-Conservator)
Atty Bergstrom, Robert Q. (for Harry Baker – Petitioner- Former Spouse)

Case No. 12CEPR00534

**Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820,
1821, 2680-2682)**

Age: 92		<u>TEMPORARY EXPIRES 08/06/2013</u>		NEEDS/PROBLEMS/COMMENTS:	
		ANITA LEAL-IDROGO , daughter appointed conservator 07/23/2012, nominates the Public Guardian as successor conservator of the person.		<u>Continued from</u>	
Cont. from 040813, 051613, 062713, 072513		Bruce Bickel was appointed conservator of the estate on 07/25/2012.		<u>07/25/2013 per Order on</u>	
		Petitioner is requesting the following additional powers:		<u>Stipulation to Continue</u>	
<input type="checkbox"/> Aff.Sub.Wit.		<ul style="list-style-type: none">• Power to have Ms. Haney examined by appropriate physicians skilled in the area of expertise necessitated by Ms. Haney's condition(s)		<u>Hearing date signed by</u>	
<input checked="" type="checkbox"/> Verified		<ul style="list-style-type: none">• Power to consent to all non-psychosis and non-dementia related medical treatments for Ms. Haney		<u>Judge Kristi Culver</u>	
<input type="checkbox"/> Inventory		<ul style="list-style-type: none">• Power to hire an appropriate nurse or other licensed professional to monitor and administer the all non-psychosis and non-dementia prescribed medications, including any insulin injections required by Ms. Haney		<u>Kapetan on 07/19/2013.</u>	
<input type="checkbox"/> PTC		<ul style="list-style-type: none">• Power to employ (and discharge) such persons, agencies or service providers to provide home health care services to Ms. Haney in her residence		2B the competing Petition for	
<input type="checkbox"/> Not.Cred.		<ul style="list-style-type: none">• Power to change the residence of the conservatee to a skilled nursing facility or assisted living facility, as determined by the conservator of the person, in consultation with experienced professionals and medical providers, commensurate with Ms. Haney's needs, if deemed appropriate by the Conservator of the Person.		Appointment of Successor	
<input checked="" type="checkbox"/> Notice of Hrg		<u>Please see additional page</u>		Conservator of the person filed by	
<input checked="" type="checkbox"/> Aff.Mail				Harry Baker, former spouse of	
<input type="checkbox"/> Aff.Pub.				proposed conservatee.	
<input type="checkbox"/> Sp.Ntc.				Minute Order of 04/08/2013 states:	
<input type="checkbox"/> Pers.Serv.				per agreement of the parties of the	
<input type="checkbox"/> Conf. Screen				parties, the Court appoints the	
<input type="checkbox"/> Letters				Public Guardian as temporary	
<input type="checkbox"/> Duties/Supp				conservator of the person. The	
<input type="checkbox"/> Objections				temporary expires 05/16/2013	
<input type="checkbox"/> Video Receipt				(extended to 06/27/2013 per	
<input checked="" type="checkbox"/> CI Report				minute order of 05/16/2013). Ms.	
<input type="checkbox"/> 9202				Johnson is directed to prepare the	
<input checked="" type="checkbox"/> Order				order. The Court orders that Ms.	
<input type="checkbox"/> Aff. Posting				Haney not be moved from her	
<input type="checkbox"/> Status Rpt				current residence without a	
<input type="checkbox"/> UCCJEA				noticed hearing for which, the	
<input type="checkbox"/> Citation				Court will entertain an order	
<input type="checkbox"/> FTB Notice				shortening time. In addition, there	
				is to be no interference with Ms.	
				Haney's church activities and Mr.	
				Baker is to be notified of any	
				health issues.	
				Reviewed by: LV	
				Reviewed on: 08/01/2013	
				Updates:	
				Recommendation:	
				File 4A - Haney	

4A

Declaration of Cecil H. Bullard, M.D. filed 07/23/2012.

Petitioner states: the conservatee has been diagnosed with dementia and, due to a diabetes related below the knee leg amputation, requires the assistance of wheel chair. The Conservatee continues to require assistance with her providing for her personal needs, including her activities of daily living and medication supervision.

Court Investigator Jennifer Young's report filed 03/28/2013.

Atty Johnson, Summer A (for Anita Leal-Idrogo – Daughter)

Atty Karuthers, Heather (Public Guardian-Conservator)

Atty Bergstrom, Robert Q. (for Harry Baker – Petitioner- Former Spouse)

First Amended Petition for Appointment of Probate Conservator of the Person (Prob. C. 1820, 1821, 2680-2682)

Age: 92		HARRY BAKER , former spouse, is petitioner. Bruce Bickel was appointed conservator of the estate on 07/25/2012. Petitioner states: the conservatee resides at the Cedar Creek Senior Living Center in Madera, Ca. The conservatee has made new friends and enjoys playing bingo. The staff treats her well. Because the conservatee can no longer drive, the conservatee has relied on her former spouse, Harry Baker, to take her to appointments with her doctors and attorneys, to go shopping, and to attend church services. Mr. Baker visits the conservatee daily and she enjoys his company. Because of his relationship to the conservatee, he is familiar with her medical issues and is in a better position than the Public Guardian to be sensitive to her needs. Court Investigator Jennifer Young's report filed 05/09/2013.	NEEDS/PROBLEMS/COMMENTS: <u>Continued from</u> <u>07/25/2013 per Order on</u> <u>Stipulation to Continue</u> <u>Hearing date signed by</u> <u>Judge Kristi Culver</u> <u>Kapetan on 07/19/2013.</u> Court Investigator Advised Rights on 05/09/2013. 1. Petitioner did not date and sign Letters.
Cont. from 040813, 051613, 062713, 072513			
	Aff.Sub.Wit.		
✓	Verified		
	Inventory		
	PTC		
	Not.Cred.		
✓	Notice of Hrg		
✓	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
✓	Pers.Serv.		
	Conf. Screen		
✓	Letters		
✓	Duties/Supp		
	Objections		
✓	Video Receipt		
✓	CI Report		
	9202		
✓	Order		
	Aff. Posting		
	Status Rpt		
	UCCJEA		
✓	Citation		
	FTB Notice		
		Reviewed by: LV Reviewed on: 08/01/2013 Updates: Recommendation: File 4B - Haney	

Atty

Sanoian, Joanne L. (for Petitioner Eileen Sutterfield)

Atty

Burnside, Leigh (for Respondent/Cross Petitioner Ronald Gray)

Atty

Sharbaugh, Catherine (court appointed for principal Lois Gray)

Petition to Compel Trustee to Reimburse Trust and Attorneys Fees [Prob. C. 16420, et seq.]

		EILEEN SUTTERFIELD is petitioner.	NEEDS/PROBLEMS/COMMENTS:
		Petitioner states she is an interested person as she is the child of the Settlor and Successor Co-Trustee of the Trust.	1. The Trust is not properly before the court. The Court does not have jurisdiction to make orders regarding the Trust. This petition should be filed in a separate trust action.
Cont. from		The Trust estate is funded with one parcel of real property located in Fresno and one parcel of real property located in Sweet Home, Oregon, and a mobile home. All other assets and property of Lois Gray owned at the time of the creation of the Trust were specifically not included in the funding of the Trust.	2. Need Notice of Hearing.
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified		3. Need Proof of Service of Notice of Hearing on all parties entitled to notice.
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC		4. Need Order.
<input type="checkbox"/>	Not.Cred.		
<input type="checkbox"/>	Notice of Hrg	X	
<input type="checkbox"/>	Aff.Mail	X	
<input type="checkbox"/>	Aff.Pub.		
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.		
<input type="checkbox"/>	Conf. Screen		
<input type="checkbox"/>	Letters		
<input type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input type="checkbox"/>	Order	X	
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
		Petitioner states she has requested the Co-Trustee of the Trust on several occasions beginning in October 2012 to agree to sell the mobile home owned by the Settlor to stop the \$700 per month space rental and allow additional funds to be provided to the assisted living facility that she resides in. Ronald Gray has refused to participate in the sale.	
		As a result of Ronald Gray's lack of concern for Mrs. Gray's financial situation, the Trust has ultimately been financially affected. First there is approximately six months of time that has passed while the mobile home should have been on the market for a total of \$4,200.00. Additionally, there have been attorneys' fees for both Petitioner and Ronald Gray that were not necessary.	
		Therefore, Petitioner is requesting redress of monetary damages to the Trust and all applicable attorney fees be paid by Ronald Gray and not the Trust.	
		Please see additional page	
			Reviewed by: KT
			Reviewed on: 8/2/2013
			Updates:
			Recommendation:
			File 5A – Gray

Wherefore, Petitioner prays for an Order that:

1. Ronald Gray reimburse the Lois Gray Trust for funds unnecessarily spent for the space rental for the mobile home;
2. Ronald Gray to pay Petitioner's attorney fees;
3. Ronald Gray be required to pay his own attorney's fees;

Atty Sanoian, Joanne L. (for Petitioner Eileen Sutterfield)
 Atty Burnside, Leigh (for Respondent/Cross Petitioner Ronald Gray)
 Atty Sharbaugh, Catherine (court appointed for principal Lois Gray)

Status Hearing

		<p>A Settlement Conference as held on 7/22/13. Minute order states the matter was not settled. The Court orders Lois Gray not to be moved until further order of the Court.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> 1. Need current written status report pursuant to Local Rule 7.5 which states in all matters set for status hearing verified status reports must be filed no later than 10 days before the hearing. Status Reports must comply with the applicable code requirements. Notice of the status hearing, together with a copy of the Status Report shall be served on all necessary parties. 2. The original petition was never served on Principal, Lois Gray pursuant to Probate Code §4544. 3. An Order for Eileen Sutterfield's Petition to Compel Agent to Act was never submitted to the court.
Cont. from		<p>Background:</p> <p>EILEEN SUTTERFIELD, child and co-agent pursuant to the Durable Power of Attorney, filed a Petition to Compel Agent to Act.</p> <p>The Petition states the matter concerned the co-agent, Ronald Gray's, lack of cooperation in regard to the Power of Attorney and therefore detrimentally affecting the Settlor's property, assets and intent behind drafting the documents.</p> <p>Petitioner alleges Lois Gray, on or about 4/8/2009, executed The Durable Power of Attorney for Management of Property and Personal Matters. Petitioner states she is aware of the terms of the POA. Based on her firsthand knowledge and having read the POA, the Petitioner contends that she and her Co-Agent were designated to pay all necessary debts including the power to sell ownership of the property.</p> <p>Lois Gray is currently residing at Cottonwood Retirement facility. The Settlor recently suffered from a stroke and is now diagnosed with dementia. The cost of living at Cottonwood is approximately \$4,720 each month with additional medical incidental costs of \$1,250.00.</p> <p>Petitioner contends that pursuant to Section 2.A.(1) the Co-Agents are capable of taking any action necessary regarding the Settlor's real and personal property. This would include the Settlor's mobile home she is no longer residing in and will not be able to reside in at any future date. To keep the vacant mobile home costs the Settlor approximately \$700.00 per month for rental of the land within a complex and insurance.</p> <p>Please see additional page</p>	<p>Note: Order on Cross Petition of Ronald Gray contains a place to insert the date that Eileen Sutterfield is to account by.</p> <p>Note: Joanne Sanoian substituted in as attorney of record for Eileen Sutterfield on 7/24/2013. Eileen Sutterfield was formerly represented by Jennifer Walters.</p>
Aff.Sub.Wit.			
Verified			
Inventory			
PTC			
Not.Cred.			
Notice of Hrg			
Aff.Mail			
Aff.Pub.			
Sp.Ntc.			
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order			
Aff. Posting			
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
			<p>Reviewed by: KT</p> <p>Reviewed on: 8/2/2013</p> <p>Updates:</p> <p>Recommendation:</p> <p>File 5B – Gray</p>

Petitioner stated she has requested of the Co-Agent, Ronald Gray, on several occasions to agree to sell the mobile home owned by the Settlor to allow for additional funds to be provided to the assisted living facility. Ronald Gray refuses to participate in the sale unless the funds are provided to a joint trust account. A trust account is not necessary as the proceeds of the sale can be directly provided to Cottonwood for the monthly expenses.

Petitioner requested the Court enter an order that:

1. Lois Gray established the Lois Gray Durable Power of Attorney, on or about April 8, 2009;
2. The Co-Agents named by the Settlor are Eileen Sutterfield and Ronald Gray;
3. Co-Agent Ronald Gray be ordered to participate in the facilitation of the sale of the mobile home owned by the Settlor;
4. For all other relief as the Court deems proper under the circumstances.

Respondent Ronald Gray's Response to Petition to Compel Agent to Act; Cross Petition to Compel Co-Agent to Account and Report filed on 5/2/13. Respondent admits some of the allegations in the petition and denies other allegations in the petition.

Wherefore, Respondent respectfully requests an order:

1. Dismissing the Petition with prejudice;
2. For costs incurred herein;
3. For any and all other relief the Court deems just and proper.

Cross Petition to Compel Co-Agent to Account and Report.

Cross Petitioner, Ronald Gray, alleges:

On 4/8/2009 Lois Gray executed a Durable Power of Attorney for Management of Property and Personal Affairs (DPOA) appointing her children, Ronald Gray (Mr. Gray) and Eileen Sutterfield (Ms. Sutterfield) as her co-agents.

In conjunction with the DPOA, Lois Gray also executed the Lois Gray Living Trust (the Trust).

The Trust estate consists of two parcels of real property and a mobile home, none of which has substantial value. The Trust has no liquid assets, but Mr. Gray is informed and believes that Lois Gray has one or more bank accounts at Chase Bank held in her name individually, from which her living expenses have been, and are being paid. Mr. Gray is further informed that Ms. Sutterfield is named as a co-owner of said account(s) solely for the purpose of facilitating the payments of Lois Gray's bills and expenses. Ms. Sutterfield has not provided Mr. Gray with copies of the monthly statements of a Chase Bank checking account belonging to Lois Gray since approximately November 2012, despite repeated requests.

Please see additional page

Recently, Ms. Sutterfield began demanding that Mr. Gray assist her in selling the mobile home to pay for Lois Gary's board and care at the assisted living facility. She also stopped providing Mr. Gray with copies of the monthly bank statements. Ms. Sutterfield has also refused Mr. Gray's request to meet to resolve the matter of how best to take care of their mother's finances. Mr. Gray suggested, for example, that he and Ms. Sutterfield establish a bank account in their capacity as co-trustees of the trust to hold all funds for the benefit of their mother. Ms. Sutterfield, however, has refused to do so and continues to refuse to provide information regarding the status of their mother's funds, which funds are now under the exclusive control of Ms. Sutterfield.

For the foregoing reasons, Mr. Gray request that the Court order Ms. Sutterfield to account and report regarding the joint bank account at Chase Bank that she shares with Lois Gray, as well as any toher account she owns with Lois Gray, for the period commencing August 1, 2012 through April 30, 2013.

Wherefore, Petitioner prays for an Order:

1. That Ms. Sutterfield account and report for the funds contained in all accounts that she owns with Lois Gray for the period commencing August 1, 2012 through April 30, 2013.
2. That Cross-Petitioner be awarded his costs incurred herein, and;
3. That the Court order any and all other relief it deems just and proper.

Supplement in Support of Cross-Petition filed on 5/16/13. Ronald Gray states that it is his belief that the funds in the Chase Bank account are the property of Mrs. Gray, and that Eileen has not deposited any of her own personal funds into said account. Accordingly pursuant to Probate Code §5301 (a), all of the funds in the account belong to Mrs. Gray.

Ronald Gray alleges Eileen has admitted that the funds in the Chase Bank account are exclusively the property of Mrs. Gray and, upon Mrs. Gray's death are to be distributed to the beneficiaries of Mrs. Gray's trust.

Since December 2012, Eileen has refused Donald's request to provide copies of the Chase Bank account statements to Ronald notwithstanding his is the co-agent of Mrs. Gray under a properly executed Durable Power of Attorney. Ronald states he met with Eileen on May 14, 2013, and again requested she provide him with copies of the statements, but Eileen continues to refuse to do so in the grounds that she is a co-owner of the account and has no obligation to share any information with Ronald. Ronald visited a branch of Chase Bank on or about 5/10/2013, with a copy of the DPOA and requested copies of the statements, but bank personnel would not provide them.

Eileen continues to withhold information from him relative to Mrs. Gray's finances, yet demands that he agree to sell Mrs. Gray's mobile home, which is actually an asset of the Mrs. Gray's living Trust. Eileen however has been unwilling to agree to deposit the sale proceeds into a Trust account titled in the names of both Ronald and Eileen as co-Trustees. Due to Eileen's refusal to do so, as well as her refusal to share Mrs. Gray's financial information with him, Ronald has not agreed to the sale of the mobile home.

Please see additional page

Petitioner Eileen Sutterfield's Response to Respondent Ronald Gray's Cross-Petition to Compel Co-Agent to Account and Report and Supplement in Support of Cross-Petition to Compel Co-Agent to Account and Report was filed 5/21/13. Cross Respondent states since the execution of the DPOS and the Trust, Lois Gray has been diagnosed with dementia and suffered a stroke. Lois Gray is currently residing in a care facility in Fresno. Cross Respondent admits that the Trust estate contains two parcels of real property and a mobile home. Cross-Respondent admits that the Trust has no liquid assets. Cross-Respondent further admits that she has not provided Mr. Gray monthly bank statements of a Chase bank account since November 2012. Cross-Respondent denies that she has refused Mr. Gray's attempts to meet and resolve the matter of how best to take care of their mother's finances.

Cross-Respondent admits that Mrs. Gray added her daughter Eileen Sutterfield to the account. Cross-Respondent admits that she has not deposited any of her own personal funds into the account. Cross-Respondent admits that Mr. Gray is a co-agent under a properly executed Durable Power of Attorney. Cross-Respondent continues to refuse to provide Cross-Petitioner with copies of statements on the ground she is a co-owner of the account and has no obligation to share any information with Cross-Petitioner.

Cross-Respondent alleges Cross-Petitioner has absolutely no authority to bring his cross-petition under Probate Code sections 4236 and 4241. Probate Code § 4236 states that an "attorney-in-fact shall keep records of all transactions entered into by the attorney-in-fact on behalf of the principal." That may be true when Cross-Petitioner acts as an agent under a DPOA to conduct transactions, but Cross-Respondent is not using or acting as an Agent under Mrs. Gray's DPOA to conduct transactions for Mrs. Gray and Cross-Respondent's joint Chase checking account. Mrs. Gray added Cross-Respondent to her Chase checking account several years ago. Mrs. Gray did not specifically state to Cross-Petitioner why she added her only that she wanted Cross-Respondent as a co-owner of the Chase checking account. Cross-Respondent is a co-owner of the Chase checking account and has a right of survivorship.

Cross-Respondent states she has no duty to pay her mother's finances with the funds from the joint account, but chooses to do so as co-owner. By operation of law, Cross-Respondent becomes the sole owner of the Chase account and can choose to give the money to the Trust after her mother's death. That doesn't make the funds in the joint account automatically "Trust fund." Mrs. Gray's intent is clear she did not want her checking account funds to be part of her Trust, and she wanted to daughter to be a co-owner of her Chase checking account with right of survivorship. Cross-Respondent simply has no duty under the Probate Code to account and report to Cross-Petitioner for her and Mrs. Gray's joint account.

Cross-Petitioner has stated that he as a co-agent under the DPOA is refusing to sell Mrs. Gray's mobile home because he wants to see the bank statements from the joint checking account, even though he is aware that the vacant mobile home is costing \$700.00 per month. Cross-Petitioner's actions are harmful and not in the best interest of the principal, Mrs. Gray. Cross-Petitioner's actions and delay in selling the mobile home are unreasonable and unjustified.

Wherefore, Cross-Petitioner respectfully requests that the Court deny the Cross-Petitioner in his entirety.

Status Report of Cross Petitioner Ronald Gray filed on 6/20/2013. The Status Report states Ronald Gray and Eileen Sutterfield are the children of Lois Gray, who currently resides at Somerford Place in Fresno. Ms. Gray suffers from Alzheimer's dementia and relies on her children to assist her with her financial affairs. Both Ronald and Eileen are nominated and acting agents for Mrs. Gray under a durable power of attorney executed in April 2009 and are successor trustees of a revocable trust established by Mrs. Gray in April 2009.

In the latter part of 2012, a dispute arose between Ronald and Eileen over the management of Mrs. Gray's affairs and Ronald's right to access financial information in his capacity as a co-agent under the DPOA. Eileen wanted to sell Mrs. Gray's mobile home, an asset of Mrs. Gray's Trust and where she could no longer reside, but Eileen was not willing to provide Ronald with information regarding the status of funds in Mrs. Gray's bank accounts. Eileen also declined Ronald's request to deposit the proceeds from the sale of the mobile home into a trust account to which Ronald and Eileen would both have access as co-trustees. Accordingly, Ronald was not willing to agree to sell the mobile home at that time.

The petitions currently before the court were filed. At the hearing on 5/22/2013, the Court ordered Eileen to produce copies of the monthly statements for Mrs. Gray's accounts at Chase Bank and San Joaquin Power Credit Union, and order the parties to list the mobile home for sale.

The parties immediately hired a real estate agent and listed the mobile home for sale. To date, to declarant's knowledge, there have been no offers to purchase the property.

Over two weeks later, on June 8, Eileen produced copies of Mrs. Gray's bank statements. The statements reflect however, that on May 14, 2013, Eileen withdrew over \$20,000 from her mother's credit union accounting, leaving a balance of \$5.00. She included a handwritten note that she had deposited the funds into Mrs. Gray's Chase Bank but, to date has not provided a copy of the Chase Bank accounts statements showing the funds were deposited there. A request was made to Eileen's attorney, Jennifer Walters, that a copy of Chase Bank statements be provided confirming the credit union funds were deposited there, but to date no such documentation has been received. Ms. Walters said only, in an e-mail, the funds are "accounted for" but gave no further explanation.

Additionally, the credit union statements showed a \$2,500 withdrawal by Eileen in February 2013. Inquiry was made to Ms. Walters about the nature of this withdrawal, but no response was received. Mr. Gray does not believe the withdrawal was to pay Cottonwood Court, where Mrs. Gray was living at the time, as the amount was inconsistent with the other payments made to that facility, nevertheless, the information has not been provided by either Eileen or her attorney.

Mr. Gray remains willing to try to resolve these matters with Eileen, but is finding it difficult to engage in discussions when she continues to withhold information.

Please see additional page

Supplemental Declaration of Eileen Sutterfield filed on 6/20/2013. Ms. Sutterfield states she never wanted to bring this action to the court's attention, but felt she had no choice.

Her brother has been fighting her with regards to her mother and her accounts, the trust, the mobile home, and the stocks for several months now. Ms. Sutterfield states she is trying to do right by her mother but to success in that endeavor she must rely on the court to assist her in resolving the matter.

When her mother drafted the Trust in 2009, she expressly only put a few pieces of property within the trust, the mobile home, a vehicle she sold in 2011, and her two parcels of mountain land. Her reasoning for drafting the trust was to prevent her and her brother from having to probate those assets.

During the time the trust was drafted, her mother had bank accounts and stocks that she did not wish to include in the trust. In 2010 her mother decided she wanted Eileen to be joint owner of her accounts. Ms. Sutterfield states she and her mother are very close. She has been her primary care giver, cooking for her, caring for her, helping her in every possible way. As a result of this relationship though the years she added Ms. Sutterfield to her accounts.

Ms. Sutterfield believes her brother is misunderstanding his role as a trustee. It is her understanding that he truly believes that all their mother's property, including her money should be in the trust for both of them to control. For example, the stocks her mother has had since before the trust was created have different percentages to the beneficiaries that the trust indicates. If the stocks were included in the in the trust her brother's percentage would increase from 10% to 15%.

Ms. Sutterfield states she is not trying to be difficult, but rather protect HERS and her mother's interest. Mrs. Sutterfield states that her brother has stated to a physician last year, in the presence of her and her husband, that he does not like their mother and has not liked her for over 20 years. He stated to the physician that the way he deals with his mother was to "avoid her." Ms. Sutterfield states her brother wishes for their mother to be in a care facility that is just "adequate" as anything more would be too expensive, and that she babies her. Ms. Sutterfield states their mother is in her 90s and will not be around for much longer. They should make every effort to make sure she enjoys her last years here. Even if this costs ever dollar she has.

Ms. Sutterfield states her only intention is to carry out her mother's wishes and protect her in any way she can from emotional and financial abuse and misuse of her funds. She cannot say the same motivation is driving her brother. He is not acting in the best interest of their mother. It is their mother's money, not his.

Ms. Sutterfield is requesting the court appoint a private fiduciary to become trustee of her mother's trust as there is no possible way she and her brother will be able to have any amicable working relationship. She is requesting the court deny her brother the ability to control any of the accounts that are held jointly between Ms. Sutterfield and her mother.

Note: The Trust is not properly before the court therefore the court has no jurisdiction to make an order appointing a private fiduciary to become the Trustee for the Trust. A separate action for the trust will need to be commenced, with notice to all parties interested in the trust.

Declaration of Leigh W. Burnside filed on 6/24/13 states first in regard to Lois Gray's accounts at Chase Bank and the San Joaquin Power Credit Union, Ms. Sutterfield represented to the Court in her Response dated 5/21/13, that Mrs. Gray never told her why she added Ms. Sutterfield to those accounts. She further admitted that she has not deposited any of her own funds into those accounts. The monies in those accounts therefore belong exclusively to Lois Gray while she is living (see Probate Code §5301 (a)). Accordingly; although Ms. Sutterfield may be a co-owner on the account, she is not a co-owner of the funds.

Her client, Ronald Gray, has not requested that all of Lois Gray's property be transferred to her Trust for him and Ms. Sutterfield to control and co-trustees. Further, he has not requested that Lois Gray's "stocks" be transferred to her Trust. On the contrary, in a correspondence declarant sent to Ms. Walters on 6/19/2013 (the day before Ms. Sutterfield filed her declaration) declarant proposed that the parties agree to the appointment of a private fiduciary to serve as trustee of Ms. Gray's Trust, and that the assets in the investment portfolio not be included in the Trust, except for the income generated by the portfolio which the trustee could use to pay Ms. Gray's expenses.

Mr. Gray denies that the allegations in the declaration. Ms. Sutterfield provides absolutely no support for her claims that Ronald Gray has engaged in any wrongdoing. She cites no specific instances or examples because she has none.

Finally, this dispute arose because Ms. Sutterfield was unwilling to share information regarding Ms. Gray's finances with Ronald Gray, a co-trustee and co-agent under Lois Gray's DPOA. Ronald Gray has consistently requested transparency, and Ms. Sutterfield has, since last November, consistently refused to provide it. Even now, Ms. Sutterfield and Ms. Walters have refused to provide proof of the whereabouts of the substantial withdrawal of funds that Ms. Sutterfield made from Lois Gray's credit union account on 5/14/2013. They have also refused to provide any information regarding the purpose of Ms. Sutterfield's withdrawal of \$2,500 from her mother's credit union account in February 2013. Declarant has asked for the information several times and she still does not have it.

It is respectfully requested this matter be set for trial

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob.
C. 8002, 10450)

DOD: 05/12/13		<u>LETTERS OF SPECIAL ADMINISTRATION</u> <u>EXPIRE 08/06/13</u>	NEEDS/PROBLEMS/COMMENTS: <u>CONTINUED FROM 06/25/13</u> <u>Note:</u> If the petition is granted status hearings will be set as follows: <ul style="list-style-type: none"> • Friday, 01/03/14 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 10/03/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
Cont. from 062513		ROSANNA TOROSIAN, niece, is Petitioner and request appointment as Administrator with bond set at \$285,000.00.	
<input type="checkbox"/>	Aff.Sub.Wit.		
<input checked="" type="checkbox"/>	Verified	Limited IAEA – OK	
<input type="checkbox"/>	Inventory		
<input type="checkbox"/>	PTC	Decedent died intestate	
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Residence: Fresno Publication: The Business Journal	
<input checked="" type="checkbox"/>	Aff.Mail		
<input checked="" type="checkbox"/>	Aff.Pub.	<u>Estimated Value of the Estate:</u> Personal property - \$285,000.00 Annual income - 2,850.00 Real property - 100,000.00 Total - \$387,850.00	
<input type="checkbox"/>	Sp.Ntc.		
<input type="checkbox"/>	Pers.Serv.	Probate Referee: RICK SMITH	
<input type="checkbox"/>	Conf. Screen		
<input checked="" type="checkbox"/>	Letters		
<input checked="" type="checkbox"/>	Duties/Supp		
<input type="checkbox"/>	Objections		
<input type="checkbox"/>	Video Receipt		
<input type="checkbox"/>	CI Report		
<input type="checkbox"/>	9202		
<input checked="" type="checkbox"/>	Order		
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		
			Reviewed by: JF
			Reviewed on: 08/01/13
			Updates:
			Recommendation: SUBMITTED
			File 6 – Otrakjian

**Petition for Probate of Will and for Letters Testamentary; Authorization to
Administer Under IAEA (Prob. C. 8002, 10450)**

DOD: 04/18/2013	LINDA PEDIGO , ex-spouse/named executor without bond, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Proposed personal representative is a resident of Watford, North Dakota. Probate Code §8571 states not withstanding a waiver of bond, the Court in its discretion may require a nonresident personal representative to give a bond in an amount determined by the Court. Note: If the petition is granted status hearings will be set as follows: • Friday, 12/13/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 10/10/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
Cont. from	Petitioner is a resident of Watford, North Dakota.	
<input type="checkbox"/> Aff.Sub.Wit.		
<input checked="" type="checkbox"/> Verified	Full IAEA – o.k.	
<input type="checkbox"/> Inventory		
<input type="checkbox"/> PTC		
<input type="checkbox"/> Not.Cred.	Will dated: 03/15/2013	
<input checked="" type="checkbox"/> Notice of Hrg		
<input checked="" type="checkbox"/> Aff.Mail	Residence: Fresno Publication: The Business Journal	
<input checked="" type="checkbox"/> Aff.Pub.		
<input type="checkbox"/> Sp.Ntc.		
<input type="checkbox"/> Pers.Serv.	Estimated value of the estate: Real property - \$300,000.00	
<input type="checkbox"/> Conf. Screen		
<input checked="" type="checkbox"/> Letters	Probate referee: Rick Smith	
<input checked="" type="checkbox"/> Duties/Supp		
<input type="checkbox"/> Objections		
<input type="checkbox"/> Video Receipt		
<input type="checkbox"/> CI Report		
<input type="checkbox"/> 9202		
<input checked="" type="checkbox"/> Order		
<input type="checkbox"/> Aff. Posting		
<input type="checkbox"/> Status Rpt		
<input type="checkbox"/> UCCJEA		
<input type="checkbox"/> Citation		
<input type="checkbox"/> FTB Notice		
		Reviewed by: LV
		Reviewed on: 08/01/2013
		Updates:
		Recommendation:
		File 7 – Lauritzen

Petition for Letters of Administration; Authorization to Administer Under IAEA (Prob.
C. 8002, 10450)

DOD: 01/17/2013	ISABEL DIAZ-CASILLAS , sister is petitioner and requests appointment as Administrator without bond.		NEEDS/PROBLEMS/COMMENTS: 1. Need name and date of death of decedent's spouse pursuant to Local Rule 7.1.1D. Note: If the petition is granted status hearings will be set as follows: • Friday, 12/13/2013 at 9:00a.m. in Dept. 303 for the filing of the inventory and appraisal <u>and</u> • Friday, 10/10/2014 at 9:00a.m. in Dept. 303 for the filing of the first account and final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior to the hearings on the matter the status hearing will come off calendar and no appearance will be required.
Cont. from	Sole heirs waive bond		
<input type="checkbox"/> Aff.Sub.Wit.			
✓ Verified	Full IAEA – o.k.		
<input type="checkbox"/> Inventory			
<input type="checkbox"/> PTC	Decedent died intestate		
<input type="checkbox"/> Not.Cred.			
✓ Notice of Hrg	Residence: Fresno Publication: The Business Journal		
✓ Aff.Mail	w/		
✓ Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.	Estimated value of the estate: Personal property - \$144,170.00		
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen	Probate Referee: Steven Diebert		
✓ Letters			
✓ Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
<input type="checkbox"/> CI Report			
<input type="checkbox"/> 9202			
✓ Order			
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			
			Reviewed by: LV
			Reviewed on: 08/01/2013
			Updates:
			Recommendation:
			File 8 – Lujan

Age: 1 year Cont. from 070213 <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 5%;"></td><td style="width: 85%;">Aff.Sub.Wit.</td><td style="width: 10%;"></td></tr> <tr><td style="text-align: center;">✓</td><td>Verified</td><td></td></tr> <tr><td></td><td>Inventory</td><td></td></tr> <tr><td></td><td>PTC</td><td></td></tr> <tr><td></td><td>Not.Cred.</td><td></td></tr> <tr><td style="text-align: center;">✓</td><td>Notice of Hrg</td><td></td></tr> <tr><td style="text-align: center;">✓</td><td>Aff.Mail</td><td style="text-align: center;">W/</td></tr> <tr><td></td><td>Aff.Pub.</td><td></td></tr> <tr><td></td><td>Sp.Ntc.</td><td></td></tr> <tr><td></td><td>Pers.Serv.</td><td style="text-align: center;">X</td></tr> <tr><td style="text-align: center;">✓</td><td>Conf. Screen</td><td></td></tr> <tr><td style="text-align: center;">✓</td><td>Letters</td><td></td></tr> <tr><td style="text-align: center;">✓</td><td>Duties/Supp</td><td></td></tr> <tr><td></td><td>Objections</td><td></td></tr> <tr><td></td><td>Video Receipt</td><td></td></tr> <tr><td style="text-align: center;">✓</td><td>CI Report</td><td></td></tr> <tr><td></td><td>9202</td><td></td></tr> <tr><td style="text-align: center;">✓</td><td>Order</td><td></td></tr> <tr><td></td><td>Aff. Posting</td><td></td></tr> <tr><td></td><td>Status Rpt</td><td></td></tr> <tr><td style="text-align: center;">✓</td><td>UCCJEA</td><td></td></tr> <tr><td></td><td>Citation</td><td></td></tr> <tr><td></td><td>FTB Notice</td><td></td></tr> </table>		Aff.Sub.Wit.		✓	Verified			Inventory			PTC			Not.Cred.		✓	Notice of Hrg		✓	Aff.Mail	W/		Aff.Pub.			Sp.Ntc.			Pers.Serv.	X	✓	Conf. Screen		✓	Letters		✓	Duties/Supp			Objections			Video Receipt		✓	CI Report			9202		✓	Order			Aff. Posting			Status Rpt		✓	UCCJEA			Citation			FTB Notice		<p style="text-align: center;"><u>TEMPORARY EXPIRES 8/6/2013</u></p> <p>JUDITH SANCHEZ-TORRES, maternal grandmother, is petitioner.</p> <p>Father: STEVEN RODRIGUEZ - Declaration of Due Diligence filed on 5/22/2013.</p> <p>Mother: MARIA TORRES – Declaration of Due Diligence filed on 5/22/2013</p> <p>Paternal grandfather: Juan Rodriguez Paternal grandmother: Deceased Maternal grandfather: Edgardo Cisneros</p> <p>Petitioner states the mother is 14 years old. The father is on probation for having sex with a minor. The child was in petitioner's home until he was abducted by the father. The authorities are looking for him and have urged her to seek guardianship.</p> <p>Court Investigator Jennifer Young's Report filed on 6/24/2013</p> <p>Court Investigator Jennifer Young's Supplemental Report filed on 8/1/2013</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Continued from 7/2/2013. Minute order states Edgardo Magadan is sworn and interprets for the Petitioner. The Petitioner informs the court that the mother and child are believed to be in Mexico. The Petitioner requests that the temporary be extended while she attempts to locate the mother and the child. The Petitioner is directed to contact the Court Investigator if their whereabouts become known.</p> <ol style="list-style-type: none"> 1. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice on: <ol style="list-style-type: none"> a. Juan Rodriguez (father) – unless the court dispenses with notice. b. Maria Torres (mother)- unless the court dispenses with notice.
	Aff.Sub.Wit.																																																																						
✓	Verified																																																																						
	Inventory																																																																						
	PTC																																																																						
	Not.Cred.																																																																						
✓	Notice of Hrg																																																																						
✓	Aff.Mail	W/																																																																					
	Aff.Pub.																																																																						
	Sp.Ntc.																																																																						
	Pers.Serv.	X																																																																					
✓	Conf. Screen																																																																						
✓	Letters																																																																						
✓	Duties/Supp																																																																						
	Objections																																																																						
	Video Receipt																																																																						
✓	CI Report																																																																						
	9202																																																																						
✓	Order																																																																						
	Aff. Posting																																																																						
	Status Rpt																																																																						
✓	UCCJEA																																																																						
	Citation																																																																						
	FTB Notice																																																																						
		Reviewed by: KT Reviewed on: 8/1/2013 Updates: Recommendation: File 10 - Torres																																																																					